# Countess Free Church, Ely

# DATA PROTECTION POLICY

Adopted: 09th November,2026

Countess Free Church, Ely is committed to protecting all information we handle about the people we support and work with, and to respecting people's rights regarding how their information is handled. This policy explains our responsibilities and how we will meet them.

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# Section A - What this policy is for

## 1. Policy statement

1.1 Countess Free Church, Ely, is committed to protecting personal data and respecting the rights of our **data subjects** — the people whose **personal data** we collect and use. We value the personal information entrusted to us, and we respect that trust by complying with all relevant laws and adopting good practice.

We process personal data to help us:

a) maintain our list of church members and regular attendees;
b) provide pastoral support for members and others connected with our church;
c) provide services to the community including Toddler Group, Dads n Kids, Chill & Chat Café, RTC and any other ministries run by the church;
d) safeguard children, young people and adults at risk;
e) recruit, support and manage staff and volunteers;
f) maintain our accounts and records;
g) promote our services;
h) maintain the security of property and premises;
i) respond effectively to enquirers and handle any complaints

1.2 This policy has been approved by the church's charity trustees, who are responsible for ensuring that we comply with all our legal obligations. It sets out the legal rules that apply whenever we obtain, store or use personal data.

## 2. Why this policy is important

2.1 We are committed to protecting personal data from being misused, getting into the wrong hands as a result of poor security or being shared carelessly, or being inaccurate, as we are aware that people can be upset or harmed if any of these things happen.

2.2 This policy sets out the measures we are committed to taking as an organisation and what each of us will do to ensure we comply with the relevant legislation.

2.3 In particular, we will make sure that all personal data is:

a) processed **lawfully, fairly and in a transparent manner;**
b) processed for **specified, explicit and legitimate purposes** and not in a manner that is incompatible with those purposes;
c) **adequate, relevant and limited to what is necessary** for the purposes for which it is being processed;
d) **accurate** and, where necessary, up to date;
e) **not kept longer than necessary** for the purposes for which it is being processed;

f) processed in a **secure** manner, by using appropriate technical and organisational means;
g) processed in keeping with the **rights of data subjects** regarding their personal data.

## 3. How this policy applies to you & what you need to know

3.1 **As an employee, trustee or volunteer** processing personal information on behalf of the church, you are required to comply with this policy. If you believe you have accidentally breached the policy, please contact our minister or the trustees immediately so we can take swift action to limit the impact of the breach.

3.2 Anyone who breaches the Data Protection Policy may be subject to disciplinary action, and where that individual has breached the policy intentionally, recklessly, or for personal benefit, they may also be liable to prosecution or to regulatory action.

3.3 **As a leader:** You are required to make sure that any procedures that involve personal data that you are responsible for in your area follow the rules set out in this Data Protection Policy.

3.4 **As a data subject of Countess Free Church, Ely:** We will handle your personal information in line with this policy.

3.5 **The Minister and the Church Trustees** are responsible for advising Countess Free Church, Ely and its staff and members about their legal obligations under data protection law, monitoring compliance with data protection law, dealing with data security breaches and with the development of this policy. Any questions about this policy, or any concerns that the policy has not been followed, should be directed to dataprotection@countessely.co.uk

3.6 Before you collect or handle any personal data as part of your work (paid or otherwise) for Countess Free Church, Ely, it is important that you take the time to read this policy carefully and understand what is required of you, as well as the organisation's responsibilities when we process data.

3.7 Our procedures will be in line with the requirements of this policy, but if you are unsure about whether anything you plan to do, or are currently doing, might breach this policy, you must first speak to the Minister or the Church Trustees

## 4. Training and guidance

4.1 We will provide general training at least annually for all staff to raise awareness of their obligations and our responsibilities, as well as to outline the law.

4.2 We may also issue procedures, guidance or instructions from time to time.

4.3 Ministry leaders shall review data handling practices with their teams annually.

# Section B - Our data protection responsibilities

## 1. What personal information do we process?

1.1 In the course of our work, we may collect and process information (personal data) about many different people (data subjects). This includes data we receive straight from the person it is about, for example, where they complete forms or contact us. We may also receive information about data subjects from other sources including, for example, previous employers.

1.2 We process personal data in both electronic and paper form and all this data is protected under data protection law. The personal data we process can include information such as names and contact details, education or employment details, birthdays and anniversaries and visual images of people.

1.3 In some cases, we hold types of information that are called "special categories" of data in the UK GDPR.

**'Special categories' of data** (as referred to in the UK GDPR) include information about a person's: racial or ethnic origin; political opinions; religious or similar (e.g. philosophical) beliefs; trade union membership; health (including physical and mental health, and the provision of health care services); genetic data; biometric data; sexual life and sexual orientation.

Special category personal data does not include personal data about criminal allegations, proceedings or convictions, as separate rules apply. Other than in the circumstances described in paragraphs 5.4 to 5.8 below, information relating to criminal convictions and offences should not be processed unless the processing is authorised by law or is carried out under the control of official authority. Special category personal data can only be processed under strict conditions, including the data subject's explicit consent (although other alternative conditions can apply in limited, very specific circumstances as described below).

We will not hold information relating to criminal proceedings or offences or allegations of offences unless there is a clear lawful basis to process this data.

1.4 We may process information relating to criminal proceedings or offences or allegations of offences to safeguard against any risks posed to others under Article 6(1)(f) UK GDPR where the processing is necessary for the purposes of the legitimate interests of Countess Free Church, Ely but not where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child.

1.5 We may also process special category or criminal convictions etc data ("criminal offence data") where it fulfils one of the substantial public interest conditions under Schedule 1, Part 2 of the Data Protection Act 2018, in particular, Conditions 10, 11, 12, 18 and 19.

1.6 We may also seek to obtain, use and retain criminal offence data in reliance upon Condition 31 relating to criminal convictions under Schedule 1, Part 3 of the Data Protection Act 2018.

1.7 For the purposes of Schedule 1, Part 4 of the Data Protection Act 2018, more information about Countess Free Church, Ely processing of special category and criminal convictions data under Conditions 10, 11, 12, 18, 19 and 31 can be found in the "Appropriate Policy Document" in Schedule [3] of this policy.

1.8 The processing of special category and criminal convictions data described in paragraphs 5.4 to 5.8 will only ever be carried out on the advice of statutory authorities, the Ministries Team of the Baptist Union of Great Britain or our Eastern Baptist Association and/or Countess of Huntingdon Connexion Safeguarding contact person.

1.9 Other data may also be considered 'sensitive' such as bank details but will not be subject to the same legal protection as the types of data listed above.

## 2. Making sure processing is fair and lawful

2.1 Processing of personal data will only be fair and lawful when the purpose for the processing meets a legal basis, as listed below, and when the processing is transparent. This means we will provide people with an explanation of how and why we process their personal data at the point we collect data from them, as well as when we collect data about them from other sources.

2.2 **How can we legally use personal data?**

Processing of personal data is only lawful if at least one of these legal conditions, as listed in Article 6 of the UK GDPR, is met:

a) the processing is **necessary for a contract** with the data subject;
b) the processing **is necessary for us to comply with a legal obligation;**
c) the processing is necessary to protect someone's life (this is called "**vital interests**");
d) the processing is necessary for us to perform a task in the **public interest**, and the task has a clear basis in law;
e) the processing is **necessary for legitimate interests** pursued by Countess Free Church, Ely or another organisation, unless these are overridden by the interests, rights and freedoms of the data subject.
f) If none of the other legal conditions apply, the processing will only be lawful if the data subject has given their clear **consent**.

2.3 **How can we legally use 'special categories' of data?**

Processing of 'special categories' of personal data is only lawful when, in addition to the conditions above, one of the extra conditions, as listed in Article 9 of the UK GDPR, is met. These conditions include where:

a) the processing is necessary for **carrying out our obligations under employment and social security and social protection law;**
b) the processing is necessary for **safeguarding the vital interests** (in emergency, life or death situations) **of an individual** and the data subject is incapable of giving consent;
c) the processing is carried out in the **course of our legitimate activities** and only relates to our members or persons we are in regular contact with in connection with our purposes;
d) the processing is necessary for **pursuing legal claims.**
e) If none of the other legal conditions apply, the processing will only be lawful if the data subject has given their **explicit consent.**

2.4 Before deciding which condition should be relied upon, we may refer to the original text of the UK GDPR as well as any relevant guidance, and seek legal advice as required.

2.5 **What must we tell individuals before we use their data?**

If personal data is collected directly from the individual, we will inform them in writing about: our identity/contact details and the minister, the reasons for processing, and the legal bases, including explaining any automated decision-making or profiling, explaining our legitimate interests, and explaining, where relevant, the consequences of not providing data needed for a contract or statutory requirement; who we will share the data with; if we plan to send the data outside of the United Kingdom; how long the data will be stored and the data subjects' rights.

This information is commonly referred to as a 'Privacy Notice'.

This information will be given at the time when the personal data is collected.

2.6 If data is collected from another source, rather than directly from the data subject, we will provide the data subject with the information described in section 6.5 as well as: the categories of the data concerned; and the source of the data.

This information will be provided to the individual in writing and no later than 1 month after we receive the data, unless a legal exemption under the UK GDPR applies. If we use the data to communicate with the data subject, we will at the latest give them this information at the time of the first communication.

If we plan to pass the data on to someone else outside of Countess Free Church, Ely, we will give the data subject this information before we pass on the data.

## 3. When we need consent to process data

3.1 Where none of the other legal conditions apply to the processing, and we are required to get consent from the data subject, we will clearly set out what we are asking consent for, including why we are collecting the data and how we plan to use it. Consent will be specific to each process we are requesting consent for, and we will only ask for consent when the data subject has a real choice whether or not to provide us with their data.

3.2 Consent can however be withdrawn at any time and if withdrawn, the processing will stop. Data subjects will be informed of their right to withdraw consent and it will be as easy to withdraw consent as it is to give consent.

## 4. Processing for specified purposes

4.1 We will only process personal data for the specific purposes explained in our privacy notices (as described above in section 6.5.) or for other purposes specifically permitted by law. We will explain those other purposes to data subjects in the way described in section 6, unless there are lawful reasons for not doing so.

## 5. Data will be adequate, relevant and not excessive

5.1 We will only collect and use personal data that is needed for the specific purposes described above (which will normally be explained to the data subjects in privacy notices). We will not collect more than is needed to achieve those purposes. We will not collect any personal data “just in case” we want to process it later.

## 6. Accurate data

6.1 We will make sure that personal data held is accurate and, where appropriate, kept up to date. The accuracy of personal data will be checked at the point of collection and at appropriate points later on.

## 7. Keeping data and destroying it

7.1 We will not keep personal data longer than is necessary for the purposes that it was collected for. We will comply with official guidance issued to our sector about retention periods for specific records.

7.2 Information about how long we will keep records for can be found in our Data Retention Schedule.

## 8. Security of personal data

8.1 We will use appropriate measures to keep personal data secure at all points of the processing. Keeping data secure includes protecting it from unauthorised or unlawful processing, or from accidental loss, destruction or damage.

8.2 We will implement security measures which provide a level of security which is appropriate to the risks involved in the processing.

Measures will include technical and organisational security measures. In assessing what measures are the most appropriate, we will take into account the following, and anything else that is relevant:

a) the quality of the security measure;
b) the costs of implementation;
c) the nature, scope, context and purpose of processing;
d) the risk (of varying likelihood and severity) to the rights and freedoms of data subjects;
e) the risk which could result from a data breach.

8.3 Measures may include:

a) technical systems security;
b) measures to restrict or minimise access to data;
c) measures to ensure our systems and data remain available, or can be easily restored in the case of an incident;
d) physical security of information and of our premises;
e) organisational measures, including policies, procedures, training and audits;
f) regular testing and evaluating of the effectiveness of security measures.

8.4 Physical Security Measures

To protect non-digital personal data and secure physical access to our systems, Countess Free Church, Ely enforces the following physical security controls:

a) Locked Storage: All paper records containing personal data—including attendance registers, toddler group sign-in sheets, prayer requests, giving records, and pastoral notes—are stored in lockable filing cabinets or locked offices when not in active use.
b) Access Control & Key Management: Access to church laptops and filing cabinet keys is restricted strictly to authorised staff, trustees, and designated ministry leaders.
c) Clean Desk Policy: Hard-copy documents containing personal or special category data must never be left unattended on desks, in multi-use ministry rooms, or in public areas of the church building.
d) Confidential Disposal: Paper files containing personal data are destroyed using a shredder on-site.

## 9. Keeping records of our data processing

9.1 To show how we comply with the law we will keep clear records of our processing activities and of the decisions we make concerning personal data (setting out our reasons for those decisions).

# Section C - Working with people we process data about (data subjects)

## 1. Data subjects' rights

1.1 We will process personal data in line with data subjects' rights, including their right to:

a) request access to any of their personal data held by us (known as a Subject Access Request);
b) ask to have inaccurate personal data changed;
c) restrict processing, in certain circumstances;
d) object to processing, in certain circumstances, including preventing the use of their data for direct marketing;
e) data portability, which means to receive their data, or some of their data, in a format that can be easily used by another person (including the data subject themselves) or organisation;
f) not be subject to automated decisions, in certain circumstances; and
g) withdraw consent when we are relying on consent to process their data.

1.2 If a colleague/member of the leadership team receives any request from a data subject that relates or could relate to their data protection rights, this will be forwarded to our minister or the trustees **immediately.**

1.3 We will act on all valid requests as soon as possible, and at the latest within **one calendar month** from the date of receipt of the request, unless we have reason to, and can lawfully extend the timescale. This can be extended by up to two months in some circumstances.

1.4 All data subjects' rights are provided free of charge.

1.5 Any information provided to data subjects will be concise and transparent, using clear and plain language.

## 2. Direct marketing

2.1 We will comply with the rules set out in the UK GDPR, the Privacy and Electronic Communications Regulations (PECR) and any laws which may amend or replace the regulations around **direct marketing**. This includes, but is not limited to, when we make contact with data subjects by post, email, text message, social media messaging, telephone (both live and recorded calls) and fax.

**Direct marketing** means the communication (by any means) of any advertising or marketing material which is directed, or addressed, to individuals. "Marketing" does not need to be selling anything, or be advertising a commercial product. It includes contact made by organisations to individuals for the purposes of promoting the organisation's aims.

2.2 Any direct marketing material that we send will identify Countess Free Church, Ely as the sender and will describe how people can object to receiving similar

communications in the future. If a data subject exercises their right to object to direct marketing we will stop the direct marketing as soon as possible.

# Section D - Working with other organisations & transferring data

## 1. Sharing information with other organisations

1.1 We will only share personal data with other organisations or people when we have a legal basis to do so and if we have informed the data subject about the possibility of the data being shared (in a privacy notice), unless legal exemptions apply to informing data subjects about the sharing. Only authorised and properly instructed staff/Trustees are allowed to share personal data.

1.2 We will keep records of information shared with a third party, which will include recording any exemptions which have been applied, and why they have been applied. We will follow the ICO's statutory Data Sharing Code of Practice found on *(https://ico.org.uk/for-organisations/uk-gdpr-guidance-and-resources/data-sharing/data-sharing-a-code-of-practice/)* when sharing personal data with other data controllers. Legal advice will be sought as required.

## 2. Data processors

2.1 Before appointing a contractor who will process personal data on our behalf (a data processor) we will carry out due diligence checks. The checks are to make sure the processor will use appropriate technical and organisational measures to ensure the processing will comply with data protection law, including keeping the data secure, and upholding the rights of data subjects. We will only appoint data processors who can provide us with sufficient guarantees that they will do this.

2.2 We will only appoint data processors on the basis of a written contract that will require the processor to comply with all relevant legal requirements. We will continue to monitor the data processing, and compliance with the contract, throughout the duration of the contract.

## 3. Transferring personal data outside the United Kingdom (UK)

3.1 Personal data cannot be transferred (or stored) outside of the United Kingdom unless this is permitted by the UK GDPR. This includes storage on a "cloud" based service where the servers are located outside the UK.

3.2 We will only transfer data outside the UK where it is permitted by one of the conditions for non-UK transfers in the UK GDPR.

# Section E - Managing change & risks

## 1. Data protection impact assessments

1.1 When we are planning to carry out any data processing which is likely to result in a high risk we will carry out a Data Protection Impact Assessment (DPIA). These include situations when we process data relating to vulnerable people, trawling of data from public profiles, using new technology, and transferring data outside the UK. Any decision not to conduct a DPIA will be recorded.

1.2 We may also conduct a DPIA in other cases when we consider it appropriate to do so. If we are unable to mitigate the identified risks such that a high risk remains, we will consult with the ICO.

1.3 DPIAs will be conducted in accordance with the ICO's guidance on Data Protection Impact Assessments. Found on (https://ico.org.uk/for-organisations/advice-and-services/audits/data-protection-audit-framework/toolkits/age-appropriate-design/data-protection-impact-assessments-dpias/)

## 2. Dealing with data protection breaches

2.1 Where staff or volunteers, or contractors working for us, think that this policy has not been followed, or data might have been breached or lost, this will be reported **immediately** to the minister or the trustees.

2.2 We will keep records of personal data breaches, even if we do not report them to the ICO.

2.3 We will report all data breaches which are likely to result in a risk to any person to the ICO. Reports will be made to the ICO within **72 hours** from when someone in the church becomes aware of the breach.

2.4 In situations where a personal data breach causes a high risk to any person, we will (as well as reporting the breach to the ICO), inform data subjects whose information is affected, without undue delay.

This can include situations where, for example, bank account details are lost or an email containing sensitive information is sent to the wrong recipient. Informing data subjects can enable them to take steps to protect themselves and/or to exercise their rights.

## Schedule 1 – Definitions and useful terms

The following terms are used throughout this policy and have their legal meaning as set out within the UK General Data Protection Regulation ("UK GDPR"). The UK GDPR definitions are further explained below:

**Data controller** means any person, company, authority or other body who (or which) determines the means for processing personal data and the purposes for which it is processed. It does not matter if the decisions are made alone or jointly with others.

The data controller is responsible for the personal data which is processed and the way in which it is processed. We are the data controller of data which we process.

**Data processors** include any individuals or organisations, which process personal data on our behalf and on our instructions e.g. an external organisation which provides secure waste disposal for us. This definition will include the data processors' own staff (note that staff of data processors may also be data subjects).

**Data subjects** include all living individuals who we hold or otherwise process personal data about. A data subject does not need to be a UK national or resident. All data subjects have legal rights in relation to their personal information. Data subjects that we are likely to hold personal data about include:

a) the people we care for and support;
b) our employees (and former employees);
c) consultants/individuals who are our contractors or employees working for them;
d) volunteers;
e) tenants;
f) trustees;
g) complainants;
h) supporters;
i) enquirers;
j) friends and family;
k) advisers and representatives of other organisations.

**ICO** means the Information Commissioners Office which is the UK's regulatory body responsible for ensuring that we comply with our legal data protection duties. The ICO produces guidance on how to implement data protection law and can take regulatory action where a breach occurs.

**Personal data** means any information relating to a natural person (living person) who is either identified or is identifiable. A natural person must be an individual and cannot be a company or a public body. Representatives of companies or public bodies would, however, be natural persons.

Personal data is limited to information about living individuals and does not cover deceased people.

Personal data can be factual (for example, a name, address or date of birth) or it can be an opinion about that person, their actions and behaviour.

**Privacy notice** means the information given to data subjects which explains how we process their data and for what purposes.

**Processing** is very widely defined and includes any activity that involves the data. It includes obtaining, recording or holding the data, or carrying out any operation or set of operations on the data including organising, amending, retrieving, using, disclosing, erasing or destroying it. Processing can also include transferring personal data to third parties, listening to a recorded message (e.g. on voicemail) or viewing personal data on a screen or in a paper document which forms part of a structured filing system. Viewing of clear, moving or stills images of living individuals is also a processing activity.

**Special categories of data** (as identified in the UK GDPR) includes information about a person's:

a) Racial or ethnic origin;
b) Political opinions;
c) Religious or similar (e.g. philosophical) beliefs;
d) Trade union membership;
e) Health (including physical and mental health, and the provision of health care services);
f) Genetic data;
g) Biometric data;
h) Sexual life and sexual orientation.

## Schedule 2 – ICO Registration

**Data Controller:** Countess Free Church, Ely

**Registration Number**: ZC222731

**Date Registered**: 14 August 2026; Registration Expires: 13 August 2027

**Address:**

10 Chapel Street, Ely, Cambridgeshire, CB6 1AD

## Schedule 3 – Appropriate Policy Document

**APPROPRIATE POLICY DOCUMENT** – Countess Free Church, Ely

**Schedule 1, Part 4, Data Protection Act 2018: processing of special category and criminal offence data for the purposes of Parts 1, 2 or 3 of Schedule 1 of the Data Protection Act 2018.**

## Who we are

Countess Free Church, Ely is legally constituted as a Charitable Incorporated Organisation (CIO). The Church is also associated with the Countess of Huntingdon Connexion, and the Eastern Baptist Association (and therefore part of the Baptist Union of Great Britain). The church is also affiliated to the Evangelical Alliance.

For further information on what we do, please visit our website: https://www.countessely.co.uk/

## What this policy does

This policy explains how and why Countess Free Church, Ely collects, processes and shares special category personal data about you and data relating to criminal convictions etc in order to carry out our functions, in accordance with the data protection principles set out in the UK General Data Protection Regulation (UK GDPR.) Pursuant to Part 4 of Schedule 1 of the Data Protection Act 2018 (DPA 2018), special category data (Parts 1 and 2 of Schedule 1), and data relating to criminal convictions etc (Part 3 of Schedule 1), can only be processed lawfully if it is carried out in accordance with this policy. Countess Free Church, Ely staff, trustees and volunteers must therefore have regard to this policy when carrying out sensitive processing on our behalf.

### Our approach to data protection

- Countess Free Church, Ely is committed to ensuring that the collection and processing of personal data is carried out in accordance with the UK GDPR and the DPA 2018.
- This is implemented through the provision of training for all staff, trustees and volunteers on data protection to ensure compliance with our policies and procedures.
- Countess Free Church, Ely values openness and transparency, and we have committed to and published a number of policies and processes to assist data subjects and to explain how we handle personal data. These include the Countess Free Church, Ely data protection policy, our data retention schedule, and the privacy notices on our website https://www.countessely.co.uk, which describe what information we hold, why we hold it, the legal basis for holding it, who we share it with, and the period for which we will hold it.

- The minister and the trustees have the day-to-day responsibility for ensuring that the information Countess Free Church, Ely collects is necessary for the purposes required and is not kept in a manner that can identify the individual any longer than necessary. Data protection training is provided for all new staff and volunteers, and an annual update on data protection is provided to staff, trustees and volunteers, to ensure that everyone is familiar with Countess Free Church, Ely's data protection policies and procedures and in particular the processing of any special category and criminal offence data. The minister and the Trustees will review any Data Protection Impact Assessments for Countess Free Church, Ely.
- Due to the nature of the activities performed by Countess Free Church, Ely, the church may need to share information with other organisations e.g. The Countess of Huntingdon Connexion, the Baptist Union of Great Britain, and Eastern Baptist Association and third parties, including statutory bodies and professional advisers, details of which can be found in our privacy notice at https://www.countessely.co.uk.

## The data protection principles

In summary, Article 5 of the UK GDPR states that personal data shall be:

- processed lawfully, fairly and transparently
- collected for specific and legitimate purposes and processed in accordance with those purposes
- adequate, relevant and limited to what is necessary for the stated purposes
- accurate and, where necessary, kept up to date
- retained for no longer than necessary, and
- kept secure

## Special category data and criminal convictions etc. data

### Special category data

Personal data refers to any information by which a living individual can be identified. Individual identification can be by information alone or in conjunction with other information. Certain categories of personal data have additional legal protections when being processed. These categories are referred to in the legislation as "special category data" and are data concerning:

- health
- racial or ethnic origin
- political opinions
- religious or philosophical beliefs
- trade union membership
- genetic data
- biometric data
- sex life or sexual orientation

### Criminal convictions etc. data

The processing of criminal convictions etc data also has additional legal safeguards. Criminal convictions etc data ("criminal offence data") includes information about criminal allegations, criminal offences, criminal proceedings and criminal convictions.

## Special category and criminal offence data we process about you

Countess Free Church, Ely collects, processes and shares special category and criminal convictions data where it is necessary in order to carry out our functions. This processing is usually carried by the minister or certain charity trustees for the purpose of safeguarding against any risks posed to others in our church or attending our church activities by those who are involved in our church, to mitigate the risk of individuals committing criminal offences (including of a sexual nature) and to assess individuals' suitability for ministry or other work at Countess Free Church, Ely, including by reference to risks they may pose to others. These functions and the requisite processing of personal data are matters of substantial public interest.

- If we process personal information about you, you are a "data subject." Below is a non-exhaustive list of categories of data subjects who we might process information about:
- Employees, volunteers, workers or charity trustees of Countess Free Church, Ely;
- A child or individual in membership with or associated with Countess Free Church, Ely;

Countess Free Church, Ely will share this data with third parties only where strictly necessary (please see the section "Who we share your personal data with" below).

Special category data and criminal offence data may be collected from the following non-exhaustive list of sources:

- Data subjects
- Church members or individuals in regular contact with the church – including the minister, church officers, workers or volunteers, and the church's Designated Person for Safeguarding
- The Baptist Union of Great Britain (BUGB) Specialist Teams, in particular the BUGB Ministries Team and National Safeguarding Team.
- Our Regional Association, Eastern Baptist Association, and, in particular, our Eastern Baptist Association Safeguarding contact person.
- Police, Social Services or the Local Authority Designated Officer for safeguarding.

Countess Free Church, Ely may also obtain and process this data for other statutory and legal obligations, for example, including, but not limited to:

- responding to data subject access requests under data protection legislation
- in connection with our duties under the Equality Act 2010.

## The legal basis for processing your special category or criminal convictions data

Privacy Notices are available on the Countess Free Church, Ely website at https://www.countessely.co.uk/. The Privacy Notices set out the legal bases for our processing of your personal data.

Where we process special category and criminal offence data, it will be by reference to Article 6(1)(f) UK GDPR and Conditions 10, 11, 12, 18, 19 and 31 of Schedule 1 Data Protection Act 2018, which are described below:

Article 6(1)(f) UK GDPR, where the processing is necessary for the purposes of the legitimate interests of Countess Free Church, Ely, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child.

Special category or criminal offence data may also be processed by Countess Free Church, Ely where it fulfils one of the substantial public interest conditions under Schedule 1, Part 2 of the Data Protection Act 2018:

a) Condition 10:

where the processing is necessary for the purposes of the prevention or detection of an unlawful act, it must be carried out without the consent of the data subject so as not to prejudice those purposes, and is necessary for reasons of substantial public interest.

In order to mitigate the risk of individuals committing criminal offences, including of a sexual nature, Countess Free Church, Ely may undertake a risk assessment, receive, make a record of and share information about an individual who has been reported to us by another individual or a statutory authority, where there is a significant concern about their conduct and the risk they may pose to others.

b) Condition 11:

where the processing is necessary for the exercise of a protective function, it must be carried out without the consent of the data subject so as not to prejudice the exercise of that function, and is necessary for reasons of substantial public interest. In this paragraph, “protective function” means a function which is intended to protect members of the public against – dishonesty, malpractice or other seriously improper conduct, unfitness or incompetence, mismanagement in the administration of a body or association, or failures in services provided by a body or association.

Countess Free Church, Ely may exercise protective functions in partnership with BUGB’s Safeguarding and Ministries Teams or the Eastern Baptist Association or/and The Countess of Huntingdon Connexion, which include assessing individuals’ suitability for ministry or other work within Countess Free Church, Ely, including by reference to risks they may pose to others. These functions are discharged by custom, practice and with the consensus

of the members of Countess Free Church, Ely and the requisite processing of personal data is a matter of substantial public interest.

c) Condition 12:

where the processing is necessary for the purposes of complying with, or assisting other persons to comply with, a regulatory requirement which involves a person taking steps to establish whether another person has committed an unlawful act, or been involved in dishonesty, malpractice or other seriously improper conduct, and in the circumstances the controller cannot reasonably be expected to obtain the consent of the data subject to the processing, and the processing is necessary for reasons of substantial public interest.

Countess Free Church, Ely may, in partnership with the Eastern Baptist Association or BUGB or/and The Countess of Huntingdon Connexion, investigate and risk assess an individual's suitability for ministry or other work within or connected with Countess Free Church, Ely or the Baptist family, which is in the substantial public interest and forms an integral part of "generally accepted principles of good practice" as per the definition of "regulatory requirement" in Condition 12.

d) Condition 18:

where the processing is necessary for the purposes of protecting an individual from neglect or physical, mental or emotional harm, or protecting the physical, mental or emotional well-being of an individual, the individual is - aged under 18, or aged 18 and over and at risk, the processing is carried out without the consent of the data subject for one of the reasons listed in sub-paragraph (2), and (d) the processing is necessary for reasons of substantial public interest. (2) The reasons mentioned in sub-paragraph (1)(c) are – (a) in the circumstances, consent to the processing cannot be given by the data subject; (b) in the circumstances, the controller cannot reasonably be expected to obtain the consent of the data subject to the processing; (c) the processing must be carried out without the consent of the data subject because obtaining the consent of the data subject would prejudice the provision of the protection mentioned in sub-paragraph (1)(a).

Countess Free Church, Ely may process criminal and special category data for the purposes of safeguarding minors and vulnerable persons or adults at risk.

e) Condition 19:

where the processing is necessary for the purposes of protecting the economic well-being of an individual at economic risk who is aged 18 and over and the processing is of data concerning health, is carried out without the consent of the data subject for one of the reasons listed in sub-paragraph (2), and is necessary for reasons of substantial public interest. An "individual at economic risk" means an individual who is less able to protect his or her economic well-being by reason of physical or mental injury, illness or

disability. Countess Free Church, Ely may seek to rely on this condition if it is required to investigate allegations of financial abuse by an individual in ministry or other work or who is involved in the life of Countess Free Church, Ely, for the purpose of safeguarding vulnerable persons or adults at risk.

Countess Free Church, Ely may also seek to obtain, use and retain criminal offence data in reliance upon the following additional condition relating to criminal convictions under Schedule 1, Part 3 of the Data Protection Act 2018:

f) Condition 31:

where the processing is carried out by a not-for-profit body with a religious aim in the course of its legitimate activities with appropriate safeguards where it relates solely to the members or former members of the body or to persons in regular contact with it in connection with its purposes, and the personal data is not disclosed outside that body without the consent of the data subjects.

## Who we share your personal data with

We are required to share your data with third parties where we have a legal obligation to do so. We may also share information with our partner organisations with whom we have a Data Sharing Agreement, or as set out in our Privacy Notices available here: https://www.countessely.co.uk/about/web-privacy-policy-countess-free-church/

The persons/organisations we may share your special category and criminal offence data with are:

a) Our charity trustees, employees, contractors and volunteers on a need-to-know basis;
b) The Countess of Huntingdon Connexion
c) The BUGB Specialist Teams;
d) Eastern Baptist Association;
e) Employees and volunteers working for one of our partner organisations with whom we have a Data-Sharing Agreement. Please see the current list of partner organisations at [insert church website here]]
f) Churches and other appointing or employing bodies as appropriate
g) Counsellors, professional supervisors and risk assessment consultants
h) The Police and Social Services, Local Authority Designated Officers and other statutory agencies
i) The Disclosure and Barring Service and our DBS Checking Company
j) Before sharing information with any of the above persons or organisations, careful consideration is given to the rights and freedoms of the data subject against what is needed to be shared to achieve our overarching goal of safeguarding children, young people and adults at risk from harm within Countess Free Church, Ely and to support and promote exemplary ministry. Special category and criminal offence data is disclosed only where reasonably necessary, and a record of any disclosure to third parties, with full details, is kept in a securely locked filing cabinet in the church office.

## Automated decision making

Currently Countess Free Church, Ely undertakes no automated decision making in relation to your personal data.

## How we keep your data secure and how long we keep it for

Countess Free Church, Ely deploys a range of technical and organisational measures to protect the personal data it holds and processes. Controls include but are not limited to

- Annual data protection training for all staff and part of the induction for new staff
- 'Computer Security in the Workplace' training for all staff and part of the induction for new staff
- Acceptable use of IT equipment and systems defined in the IT General Policy provided to all users of Countess Free Church, Ely systems
- Strong defences of the Countess Free Church, Ely core IT system (e.g. Firewalls, Malware Detection & Defence)
- Robust procedures for the reporting of any data or potential data breaches
- Encryption of data both at rest and in transit across Countess Free Church, Ely networks where appropriate.
- Where needed, appropriate redaction takes place before witness statements, case notes or investigation reports are shared.
- Secure Physical Storage for Sensitive Records: Paper files containing special category or criminal offence data (such as safeguarding case notes, pastoral records, or DBS check information) are kept in a dedicated, locked filing cabinet inside an office, with access restricted strictly to the Minister and Designated Safeguarding Lead.

These measures are under constant review by Countess Free Church, Ely.

Countess Free Church, Ely has a Data Retention Schedule which lists the data we hold and how long we hold it for. To find out how long we keep your data for please see our Data Retention Schedule.

## Your rights in relation to the data we hold

Data protection legislation provides you with a number of rights relating to your personal data, including your special category and criminal conviction etc data. These rights are subject to some specific exemptions.

Your rights may include:

- the right to access your data
- the right to have your data corrected if it is wrong or incomplete
- the right to request restrictions to the processing of your data
- the right to object to your data being processed
- the right to have your data erased
- the right to be informed about how your data is processed
- rights relating to automated decision making and data portability

You should keep us informed of any changes to your information so that we can be confident that the data we hold about you is accurate. To understand more about these rights and how to exercise them please see our Privacy Notice https://www.countessely.co.uk/ and the Information Commissioner's Office website: https://ico.org.uk/.

## Data Protection Officer/Contact

The Minister and the Church Trustees are our Data Protection Trustee and are the people responsible for matters relating to the protection of personal data. They can be contacted at the address below or by email dataprotection@countessely.co.uk or phone 01353 662396.

## Your right to complain to the Information Commissioner

If you are unhappy with any aspect of the way in which we have processed your personal data, you have the right to make a complaint to the Information Commissioner's Office:

Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

www.ico.org.uk

Tel: 0303 123 1113

casework@ico.org.uk

**Feedback or complaints** about Countess Free Church, Ely, **staff or volunteers**

If you want to give us feedback or make a complaint about Countess Free Church, Ely, its staff or volunteers in relation to the handling of your personal data, please contact

The Minister and The Elders

Countess Church, 10 Chapel Street, Ely. CB6 1AD

Tel: 01353 662396

Email: dataprotection@countessely.co.uk

**Review of this policy**

This policy will be regularly reviewed and may be subject to revision. Please visit our website to check for any updates.